IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 3985 of 2005

Between:

K. Srinivasa Rao, S/o. Sri Appa Rao,
Water Supply Department, Visakha Steel Plant,

R/o. Visakhapatnam.

..... PETITIONER

AND

1 The Appellate Authority,

(Under Section 7(2) of the A.P. SC, ST & BC's
Regulation of Issue of Community Certificates Act and Rules

1977), Rep. by its Secretary for Social Welfare &
Tribal Welfare, AP Secretariat, Hyderabad - 22.
2 The Joint Collector and Additional District Magistrate,

East Godavari District, Kakinada.
3 Visakhapatnam Steel Plant, Rep. by its Superintendent,
Water Supply Department, Visakhapatnam - 530 031.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records from the respondents and issue an appropriate Writ, Order or Direction, particularly one in the nature of Writ of Mandamus, declaring that the action of 1st Respondent in not passing interim orders in I.A.No. 2005 in Appeal No. of 2005 filed on 18-2-2005 by duly issuing notice as arbitrary, illegal and unjust, contrary to law and in violation of Articles 14 and 21 of the Constitution of India, and grant all consequential benefits.

Counsel for the Petitioner: MR.A.K.JAYAPRAKASH RAO

Counsel for Respondent Nos.1 and 2: GP FOR SOCIAL WELFARE
Counsel for Respondent No.3: MR. A. RAVINDER RAO

The Court made the following :

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ORDER:

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The present writ petition is filed to declare the action of the 1st respondent in not passing any interim orders in the Interlocutory Application in the appeal filed by the petitioner, dated 18-02-2005, as arbitrary and illegal.

Heard learned counsel for the petitioner and learned Government Pleader for Social Welfare.

The petitioner earlier filed W.P.No.24801 of 1995 before this Court, questioning the cancellation of the caste certificate issued by the 1st respondent therein, whereunder this Court by an order dated 03-02-2005, directed the petitioner to move an appeal before the Government and further directed that there shall be stay for a period of four weeks in order to enable the petitioner to file an appeal before the Government. It seems the petitioner filed an appeal on 18-02-2005, but the Government did not pass any orders.

Therefore, without entering into the merits of the case, the writ petition is disposed of directing the 1st respondent to pass appropriate orders in the Interlocutory Application in the appeal filed by the petitioner within a period of two weeks from the

date of receipt of a copy of this order and there shall be interim stay till then only.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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02-03-2005

Note: Issue operative portion by wire at party's costs.

B/o.

vs

To

1 The Secretary for Social Welfare &
Tribal Welfare, the Appellate Authority,

(Under Section 7(2) of the A.P. SC, ST & BC's
Regulation of Issue of Community Certificates Act and Rules

1977), Secretariat, Hyderabad - 22.
2 The Joint Collector and Additional District Magistrate,

East Godavari District, Kakinada.

3 The Superintendent, Visakhapatnam Steel Plant,
Water Supply Department, Visakhapatnam - 530 031.

4 Two CCs to the G.P for Social Welfare, High Court of A.P.,

Hyderabad(O.U.T).

5 2 CD copies

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 3985 of 2005

Dated: 02-03-2005

vs